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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/056,203	01/25/2002	Roger T. Baird	10014605-1	3810

7590 09/08/2005

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EXAMINER	
HOANG, PHUONG N	
ART UNIT	PAPER NUMBER
2194	

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/056,203	BAIRD ET AL.	
	Examiner	Art Unit	
	Phuong N. Hoang	2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 June 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-34* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) *1-14,17-26 and 29-34* is/are rejected.

7)☒ Claim(s) *15,16,27 and 28* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-34 are pending. This action is in response to the amendment filed 6/18/2005. Applicant has amended claims 3 and 33.

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 3, 5 - 7 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mastie, US patent no. 6,515,756.

As to claim 3, Mastie teaches the method comprising the steps of:

checking an amount of time taken by a manager device to service another device (determining the type of printer daemon to use,... printer available in one of the controllers 8a, b, c, col. 5 lines 50 - 60); and

determining whether the manager device is a desired manager of the other device (after determining the type select a printer, col. 5 lines 50 - 60). It is noted that each print daemon is preferred/desired/designed for processing a corresponding type of input, ie, PS2AFP, D2AFP, TIFF2AFO print daemons for PostScript, ditoff, TIFF data types, respectively.

Mastie does not explicitly teach the step of the determining based at least in part on the amount of time. However, Mastie teaches selecting the available printer / print daemon, ie, the printer / print daemon which is available / ready to perform processing / takes minimum amount of time to service the request.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to recognize that determining and selecting the available printer would also comprise determining based part on the amount of time because the amount of time for the printer ready to service a request is minimum.

As to claim 5, Mastie teaches the step of wherein the manager device was not, when servicing the other device, the desired manager of the other device (other printer that is not selected is not the desired manager, col. 5 lines 50 - 60).

As to claim 6, Mastie teaches the step of wherein the method is implemented by the manager device (printer manager 6, col. 5).

As to claim 7, Mastie teaches the step of wherein the method is implemented by a central database (global configuration table, col. 7 lines 58 - 56).

As to claim 33, Mastie teaches a system comprising:

a device service table (configuration file, col. 5 lines 45 - 67) to store mappings of desired managers to managed devices; and

a selection module (printer manager, col. 5 lines 45 - 67 and col. 7 lines 43 - 67) coupled to access the device service table and configured to, check an amount of time taken (printer daemon available) by a manager device to service another device, and

determine whether the manager device is a desired manager of the other device (printer daemon available is the desired manager).

Mastie does not explicitly teach the step of the determining based at least in part on the amount of time. However, Mastie teaches selecting the available printer.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to recognize that determining and selecting the available printer would also be determining based part on the amount of time because the amount of time for the available printer ready to service a request is minimum.

4. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mastie, US patent no. 6,515,756 in view of Yanagidaira, US patent no. 6,490,052.

As to claim 1, Mastie teaches a method, implemented by a computing device, the method comprising the step of:

determining (determining the type of printer daemon to use available in one of the controllers 8a, b, c, col. 5 lines 50 - 60), based at least in part on an amount of time taken to service the device, whether the computing device is to be identified as typically servicing the device. Note discussion of claim 3 for desired manager.

Mastie does not explicitly teach the step of sending a service request to a device, wherein the service request is a request for data relating to the operation of the device.

Yanagidaira teaches the step of sending a service request to a device, wherein the service request is a request for data relating to the operation of the device (sends the operating and setting states of based on request received, col. 5 lines 28 - 35).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Mastie and Yanagidaira's because

Yanagidaira's response would notify the status information of the device so the device can use information to perform necessary functions to be ready for being serviced.

5. Claim 4, 22, 24 - 26, 29 - 32, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mastie, US patent no. 6,515,756 in view of Combs, US patent no. 6,766,348.

As to claim 4, Mastie does not explicitly teach wherein the determining comprises the step of checking whether the amount of time taken to service the device is less than a decision threshold; and if the amount of time taken is less than the decision threshold, then determining that the computing device is to be identified as typically servicing the device.

Combs teaches the step of wherein the determining comprises the step of the decision threshold (max wait duration, col. 11 lines 35 - 40).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Mastie, and Combs's system because Combs's threshold would provide a standard waiting time for a service if the device is not available, and used to determine that the computing device is to be identified as typically servicing the device if the amount of time taken is less than the decision threshold.

As to claim 22, Mastie teaches one or more computer readable media having stored thereon a plurality of instructions that, when executed by one or more processors of a computing device, causes the one or more processors to perform acts comprising:

Receiving a request for an identification of device information (printer manager 6 access configuration file to identify the print attributes, col. 5 lines 45 - 65 and col. 7 lines 42 - 67);

Identifying one or more devices for which the device manager is the desired manager (determining the type of printer daemon to use ,...printer available in one of the controllers 8a, b, c, col. 5 lines 50 - 60);

for a plurality of additional devices for which the device manager is not the desired manager (check all printers to find the available one);

Mastie do not teach the step of checking whether a trigger condition is satisfied and for each device for which the device manager is not the desired manager and for which the trigger condition is satisfied, identifying the device to the device manager.

However, Mastie teaches the step of the device manager has the ability to identify the desired manager in all devices that would include not desired managers. Combs teaches the step of checking whether a trigger condition before servicing the device (max wait duration, col.11 lines 35 - 40).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Mastie and Combs's system because Combs's trigger condition would provide the flexibility for making the decision to select possible desired managers to be reserved for service.

As to claim 24, Mastie modified by Combs teach the step of wherein checking whether a time taken by the device manager to service the device is less than a decision threshold (Combs; max wait duration, col.11 lines 35 - 40); and if the time

taken is less than the decision threshold, then identifying the device manager as the desired manager for the device.

As to claim 25, Mastie teaches the step of wherein the method is implemented by the manager device (printer manager 6, col. 5).

As to claim 26, Combs teaches the step of wherein the decision threshold (max wait duration, col.11 lines 35 - 40) is equal to the amount of time taken by the last desired manager of the device to service the device.

As to claims 29 and 30, Mastie modified by Combs teach the step of wherein checking whether the trigger condition is satisfied comprises: generating a value (Combs; max wait duration, col. 11 lines 35 - 40); determining whether the value is within a range of trigger values (Combs; max wait duration, col. 11 lines 35 - 40); and determining that the trigger condition is satisfied if the value is within the range of trigger values.

As to claim 31, Mastie teach the step of wherein the plurality of instructions further cause the one or more processors to perform acts comprising servicing the device only if the device is due for service (it is one of the decisions).

As to claim 32, see rejection for claim 21 above.

As to claim 34, see rejection for claim 4 above.

6. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mastie, US patent no. 6,515,756 in view of Yanagidaira, US patent no. 6,490,052, and in view of Combs, US patent no. 6,766,348.

As to claim 2, Mastie and Yanagidaira do not explicitly teach wherein the determining comprises the step of checking whether the amount of time taken to service the device is less than a decision threshold; and if the amount of time taken is less than the decision threshold, then determining that the computing device is to be identified as typically servicing the device.

Combs teaches the step of wherein the determining comprises the step of the decision threshold (max wait duration, col. 11 lines 35 - 40).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Mastie, Yanagidaira, and Combs's system because Combs's threshold would provide a standard waiting time for a service if the device is not available, and used to determine that the computing device is to be identified as typically servicing the device if the amount of time taken is less than the decision threshold.

7. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mastie, US patent no. 6,515,756 in view of Combs, US patent no. 6,766,348, and in view of Yanagidaira, US patent no. 6,490,052.

As to claim 23, Mastie and Combs do not teach the step comprising of: receiving, from the device manager, an indication that at least one of the identified devices has been serviced; and updating a last service time for each of the identified devices.

Yanagidaira teaches the step of receiving, from the device manager, an indication that at least one of the identified devices has been serviced; and updating a

last service time for each of the identified devices (printer information about printer operation including the time is updated with reference to the printer information database, col. 9 lines 25 - 40).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Mastie, Combs, and Yanagidaira's system because Yanagidaira's updating information would allow the device manager to accurately select the device to be serviced.

8. Claims 8 -14, and 17 - 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tierney, US patent no. 4,682,304 in view of Mastie, US patent no. 6,515,756, and further in view of Combs, US patent no. 6,766,348.

As to claim 8, Tierney teaches one or more computer readable media having stored thereon a plurality of instructions that, when executed by one or more processors of a device manager, causes the one or more processors to perform acts comprising:

identifying a device to be serviced (table of address which point to the next available outputted to the associated output device, col. 16 lines 9 -15).

Tierney does not teach the steps of checking whether the device is a desired manager to be serviced.

Mastie teaches the steps of:

checking whether the device manager is a desired manager for the device (determining the type of printer daemon to use ,...printer available in one of the controllers 8a, b, c, col. 5 lines 50 - 60);

if the device manager is the desired manager for the device (after determining the type select a printer, col. 5 lines 50 - 60), then servicing the device (invoke the selected printer, col. 5 lines 50 - col. 6 lines 8).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Tierney and Mastie's system because Mastie's ability checking and selecting for the desired manager and servicing the device would provide a determining and making a decision that the device to be serviced.

Tierney and Mastie do not teaches the step of checking whether a trigger condition if the device manager is not the desired manager for the device.

Combs teaches the step of checking whether a trigger condition before servicing the device (max wait duration, col.11 lines 35 - 40).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Tierney, Mastie, and Combs's system because Combs's trigger condition would provide a flexibility for making the decision that would wait for the device supposed to be serviced is not immediately available to service.

As to claim 9, Tierney teaches the step of wherein identifying the device to be serviced comprises selecting the device from a table accessible to the device manager (table, col. 16 lines 9 -15).

As to claim 10, Tierney teaches the step of wherein identifying the device to be serviced comprises receiving an indication (point to next, col. 16 lines 9 - 15) of the device from a central database.

As to claim 11, Tierney teaches the step of wherein the plurality of instructions further cause the one or more processors to perform acts comprising updating a last service time for the device (the oldest .... Devices, col. 16 lines 10 - 15).

As to claim 12, Tierney and Mastie modified by Combs teach the step of wherein checking whether a time taken by the device manager to service the device is less than a decision threshold (Combs; max wait duration, col.11 lines 35 - 40); and if the time taken is less than the decision threshold, then identifying the device manager as the desired manager for the device.

As to claim 13, see rejection for claim 9 above.

As to claim 14, Combs teaches the step of wherein the decision threshold ((max wait duration, col.11 lines 35 - 40) is equal to the amount of time taken by the last desired manager of the device to service the device.

As to claim 17, see rejection for claim 13 above.

As to claims 18 and 19, Tierney and Mastie modified by Combs teach the step of wherein checking whether the trigger condition is satisfied comprises: generating a value (max wait duration, col. 11 lines 35 - 40); determining whether the value is within a range of trigger values; and determining that the trigger condition is satisfied if the value is within the range of trigger values.

As to claim 20, Tierney and Mastie do not teach the step of altering the trigger condition over time.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to recognize that condition may be changed as a design choice to be suitable with the environment.

As to claim 21, Tierney modified by Mastie teach the step of wherein the plurality of instructions further cause the one or more processors to perform acts comprising servicing the device only if the device is due for service (it is one of the decisions).

9. Claims 15, 16, 27, and 28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. Applicant's arguments filed 6/18/2005 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argued in substance that Mastie does not teach determining printer daemon based on an amount of time taken to service a device (see, for example, remarks, page 18, 2nd paragraph).

The examiner respectfully disagrees. Mastie determines a printer daemon based, in part, on the availability of the printer daemons. Col. 5, lines 50-60. One of ordinary skill in the art would recognize that an available printer daemon is one which is available / ready to service. In other words, an available printer daemon takes minimum amount of time to start service, thus contributing to minimized overall length of time taken to

service. Therefore, Mastie meets based on an amount of time taken to service a device as claimed.

Applicant argued that Mastie does not teach typically servicing (see, for example, remarks, pages 18-19).

The examiner respectfully disagrees. Mastie determines whether a device is typically servicing / desired manager based, in part, on what type of input a print daemon is designed/default to process. Col. 5 lines 50 - 60. In Mastie, each print daemon is preferred/desired/designed for processing a particular type of input, ie, PS2AFP, D2AFP, TIFF2AFO print daemons for PostScript, ditoff, TIFF data types, respectively. Therefore, Mastie meets determining whether a device is typically servicing / desired manager as claimed.

Regarding Combs, applicant argued that Combs does not mention the wait time contributes to amount of time taken to service (remarks, pages 20-21).

The examiner's response is that one of ordinary skill in the art would recognize that a task/job/service requires minimum steps of starting, processing and finishing. Time spent/taken at each step contributes to the overall time of servicing. Therefore, the wait time, typically an integral part of the starting step, contributes to amount of time taken to service.

Regarding claim 8, applicant argued that Mastie does not teach the two courses of actions – identifying the desired manager and checking trigger condition (remarks, pages 24-25).

The examiner respectfully disagrees. Mastie determines the desired manager, as discussed in the rejection of claim 3 or 8, and Combs teaches checking trigger condition, as detailed in the rejection of claim 8.

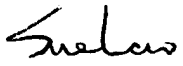
As to applicant's argument regarding claim 22 and 33, note discussion of arguments related to claims 3 and 1 above.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong N. Hoang whose telephone number is (571) 272-3763. The examiner can normally be reached on Monday - Friday 9:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see hftp://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ph

September 2, 2005



SUE LAO
PRIMARY EXAMINER